IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6528 OF 2005
IN
CRI.APPEAL NO.911 OF 2005

1. Sampat Laxman Jadhav
2. Prashant Laxman Jadhav
3. Shivaji Laxman Jadhav
R/o Barshi ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.V.V.Purwant Advocate for Applicants
Mr.B.H.Mehta, A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : OCTOBER 28, 2005

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking bail. The applicants have been convicted under Section 307 r.w. 34 of IPC and sentenced to R.I. for five years. The learned advocate for the applicants

states that as far as the applicant nos.1 and 2 are concerned, he seeks liberty to file a fresh application annexing the evidence of relevant witnesses. Liberty as prayed for is granted. Thus, this application is being considered only in respect of applicant no.3-Shivaji Laxman Jadhav.

3. It is stated on behalf of the applicant no.3 that the applicant no.3 was on bail during the trial and he has not misused the liberty granted to him. This statement is not controverted on behalf of the prosecution. It is further stated that the applicant no.3 is a young boy of 19 years of age and besides this case, he has not been involved in any other case.

4. As far as applicant no.3 is concerned, it is not the prosecution case that he was armed with the weapon nor is it the prosecution case that he had inflicted any of the injuries which have been caused to Satish Deokar and Ramling Jadhav. In view of the above facts, I am inclined to grant bail to the applicant no.3.

4. The applicant no.3-Shivaji Laxman Jadhav to be released on bail of Rs.20,000/- with one or two sureties to make up that amount. During the pendency of the appeal, the applicant no.3 shall report to Barshi City Police Station on second and fourth Sundays of every month.

4. Application is disposed of in the above terms.

[V.K.TAHILRAMANI,J.]